

Exhibit 1

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No. 20-17442

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

SHANNON CARTER,

Plaintiff-Appellee,

v.

SCHERRIE BEAN; et al.,

Defendants-Appellants,

and

ROMER ARANAS; L. STEWART,

Defendants.

On Appeal from the United States District Court
for the District of Nevada
No. 2:17-cv-01628-RFB-EJY

**DEFENDANTS-APPELLANTS' NOTICE OF INTENT NOT TO
PROSECUTE APPEAL FOLLOWING DISTRICT COURT RULING**

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Attorneys for Defendants-Appellants

COMES NOW, Defendants-Appellants Scherrie Bean, Paul Bitar, Alberto Buencamino, James Dzurenda, Jerry Howell, Jennifer Nash, and Brian Williams, by and through counsel, Gregory L. Zunino, Deputy Solicitor General, hereby notify the Court, pursuant to its Order dated January 7, 2021 (Dkt. 2), that Defendants-Appellants do not intend to prosecute their appeal following the District Court's ruling on their Motion for Reconsideration (ECF No. 88). Accordingly, this matter should be remanded to the District Court so that Plaintiff-Appellee's outstanding claims may proceed to trial.

DATED this 2nd day of November, 2021.

AARON D. FORD
Attorney General

By: /s/ Gregory L. Zunino
GREGORY L. ZUNINO
Deputy Solicitor General

Attorneys for Defendants-Appellants

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Form 17. Statement of Related Cases Pursuant to Circuit Rule 28-2.6

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form17instructions.pdf>

9th Cir. Case Number(s) 20-17442

The undersigned attorney or self-represented party states the following:

☒ I am unaware of any related cases currently pending in this court.

☐ I am unaware of any related cases currently pending in this court other than the case(s) identified in the initial brief(s) filed by the other party or parties.

☐ I am aware of one or more related cases currently pending in this court. The case number and name of each related case and its relationship to this case are:

Signature /s/ Gregory L. Zunino **Date** November 2, 2021
(use "s/[typed name]" to sign electronically-filed documents)

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

Form 8. Certificate of Compliance for Briefs

Instructions for this form:

<http://www.ca9.uscourts.gov/forms/form08instructions.pdf>

9th Cir. Case Number(s) 20-17442

I am the attorney or self-represented party.

This document contains 83 words, excluding the items exempted by Fed. R. App. P. 32(f). The brief's type size and typeface comply with Fed. R. App. P. 32(a)(5) and (6).

I certify that this brief (*select only one*):

☒ [X] complies with the word limit of Cir. R. 32-1.

☐ [] is a **cross-appeal** brief and complies with the word limit of Cir. R. 28.1-1.

☐ [] is an **amicus** brief and complies with the word limit of Fed. R. App. P. 29(a)(5), Cir. R. 29-2(c)(2), or Cir. R. 29-2(c)(3).

☐ [] is for a **death penalty** case and complies with the word limit of Cir. R. 32-4.

☐ [] complies with the longer length limit permitted by Cir. R. 32-2(b) because (*select only one*):

☐ [] it is a joint brief submitted by separately represented parties;

☐ [] a party or parties are filing a single brief in response to multiple briefs; or

☐ [] a party or parties are filing a single brief in response to a longer joint brief.

☐ [] complies with the length limit designated by court order dated _____.

☐ [] is accompanied by a motion to file a longer brief pursuant to Cir. R. 32-2(a).

Signature /s/ Gregory L. Zunino Date November 2, 2021
(use "s/[typed name]" to sign electronically-filed documents)

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Form 15. Certificate of Service for Electronic Filing

Instructions for this form:

<http://www.ca9.uscourts.gov/forms/form15instructions.pdf>

9th Cir. Case Number(s) 20-17442

I hereby certify that I electronically filed the foregoing/attached document(s) on this date with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit using the Appellate Electronic Filing system.

Service on Case Participants Who Are Registered for Electronic Filing:

☐ I certify that I served the foregoing/attached document(s) via email to all registered case participants on this date because it is a sealed filing or is submitted as an original petition or other original proceeding and therefore cannot be served via the Appellate Electronic Filing system.

Service on Case Participants Who Are NOT Registered for Electronic Filing:

☐ I certify that I served the foregoing/attached document(s) on this date by hand delivery, mail, third party commercial carrier for delivery within 3 calendar days, or, having obtained prior consent, by email to the following unregistered case participants (*list each name and mailing/email address*):

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Description of Document(s) (*required for all documents*):

DEFENDANTS-APPELLANTS' NOTICE OF INTENT NOT TO PROSECUTE APPEAL FOLLOWING DISTRICT COURT RULING
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Signature  **Date** November 2, 2021
(use "s/[typed name]" to sign electronically-filed documents)